

1 C. Brooks Cutter, SBN 121407
2 Kerrie D. Webb, SBN 211444
3 KERSHAW, CUTTER & RATINOFF, LLP
4 980 9th Street, Suite 1900
5 Sacramento, CA 95814
6 Telephone: (916) 443-4800
7 Fax: (916) 669-4499

8 Benjamin C. Bunn, SBN 144367
9 HULBURT & BUNN, LLP
10 1245 Island Avenue
11 San Diego, CA 92101
12 Telephone: (619) 398-8370
13 Fax: (619) 398-8377

14 Attorneys for Plaintiffs

15
16 IN THE UNITED STATES DISTRICT COURT
17
18 EASTERN DISTRICT OF CALIFORNIA
19

20 CYNTHIA MAHON and GARY
21 MARKLEY,

22 Plaintiffs

23 vs.

24 CROWN EQUIPMENT CORPORATION,
25 dba CROWN LIFT TRUCKS, and DOES 1
26 through 50, inclusive,

27 Defendants.
28 _____/

CASE NO. 2:03-cv-1763-MCE-DAD

STIPULATION TO EXTEND
DEADLINES AND TRIAL DATE;
ORDER

29 IT IS HEREBY STIPULATED by and between the parties, through their respective
30 attorneys of record, in accordance with Local Rule 83-141, that the deadlines related to this
31 matter should be extended as described herein, for the following good cause:

- 32 1. The parties have renewed settlement negotiations in an effort to resolve this case.
33 Settlement of this case will have to include resolution of Cynthia Mahon's
34 workers compensation lien, and the parties are exploring options with Ms.
35 Mahon's workers comp attorney.
- 36 2. The parties have 17 expert depositions that must be completed before we can
37 proceed with the final pre-trial conference currently set for February 26, 2007 and
38 trial currently set for March 28, 2007. The depositions will have to be conducted

1 in several states across the country. The attorneys' trial calendars and experts'
2 calendars have posed scheduling difficulties, and the parties need additional time
3 to complete this final phase of discovery.

4 3. Additionally, defense counsel Daniel Scully, has had to take over the trial
5 calendars from other attorneys in his firm due to medical emergencies.

6 4. An extension on deadlines set by this Court is necessary in order to adequately
7 complete discovery, and assess the value of this case.

8 5. The parties stipulate and propose that deadlines set by the Court should be
9 extended as follows:

10 a. All dispositive motions, except motions for continuances, temporary
11 restraining orders or other emergency applications shall be filed no later
12 than August 3, 2007.

13 b. Final Pre-trial Conference on October 15, 2007, at 2:30 p.m.

14 c. Trial to commence on December 5, 2007, at 9:00 a.m.. Parties to produce
15 all exhibits to the Court no later than 3:00 p.m. on November 28, 2007.
16

17 IT IS FURTHER STIPULATED that this Stipulation may be signed in counterparts and
18 that a signature by facsimile shall be deemed counsel's original signature.

19 Respectfully Submitted,

20 Dated: _____

KERSHAW, CUTTER & RATINOFF, LLP

21
22 _____
C. BROOKS CUTTER
KERRIE WEBB
23 Attorneys for Plaintiffs

24 MATHENY, SEARS, LINKERT & LONG, LLP

25
26 Dated: _____

27 _____
DOUGLAS A. SEARS
SEAN RICHMOND
28 Attorneys for Defendants

ORDER

GOOD CAUSE APPEARING THEREFOR,

IT IS HEREBY ORDERED that the above Stipulation between all parties is hereby approved, the new dates pertaining to the above-referenced action shall be set forth in accordance with the above stipulation between the parties and as modified by the Court.

Dated: February 5, 2007



MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE